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United States Of America

District Of Vermont

United States Of America
v
Everett A Simpson

} Case # 219-cr-00029-wes

Motion To Dismiss Under
Rule 48 - Rule 12

Defendant Everett Simpson Moves The Court
to Set A Hearing On The Grounds Of
Matthew J Luther And Paul J Van
de Groat The Government's Trial Counsel
that Represented The District Court Of
Vermont, In The Above Mentioned
Case.

In Grounds that they Violated The Dual
Sovereignty Doctrine (Pettite Policy) As
they KNOWNLY And Vigorously Brought Federal
Prosecution Without Being Authorized As
Required Under the Act In Spite Of State
Prosecution that Was Already Brought Against Simpson
As Well To Contest In Court The Validity

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Of the Arrest Warrant, As Well DNA
Warrant, On the Grounds Asserted here,
To this Motion,

Under Rule(3) And (4) Of the Federal
Rules Of Criminal Procedure, Which Is
Read In Light Of the 4th Amendment

Therefore In Violation Of Rule(3) And (4)
Of the Fed Rules Of Crim P.

As Probable Cause Was Not Shown by
the Complainant As A Result Of this
4th Amendment Violation, the Arrest
Warrant Issued, In this Matter Was
Issued Illegally

Argument

- (a) The Complaint On Which The Warrant
Was Issued Was inadequate, the Affiant
FBI Agent Jerry Emmens Relied
Exclusively Upon Hearsay Information
As Her Own, from An Affidavit that
Was Known to Contain fabricacted
Information.

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therby having No first hand Knowledge As
Alleged In Doc 1-1 Page ①

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Spare
Copy (b)

The Complaint Was In Any Event Detractive
In that It Recites Non Of the Required
facts Above the Basic Elements, that Make
Up the Alleged Charge, With the Omited
facts that Are Essential, As Well the
Fabricated Information Used the Complaint On
Its face Was And Is Detractive

- (c) This Inadequate Complaint Was Used to bring the indictment, knowing the facts Contained Fabricated Information, As Well No first hand Knowledge
- (d) This Complaint Was Used In Support OF the Seizing Of(DNA)
- (e) This Was Done Knowing, As the Department Of Justice Was Aware, the State Of Vermont Striped (NH) Subject Matter Over the Country And With the likelihood And few that State Conviction Would Not Be Likely, They Were forced to build A Fabricated Kidnapping Case, In Violation

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Supreme
Court

Petit V US And Rindfuss

361 US 529

Of Mr. Simpson Substantial Rights And
Clear Violation Of the Petit Policy

434 US 22

The Elements Of the Crime Charged
Namely the Federal Kidnapping Act
Of 2 People In Violation Of 18 USC
§ 1201(a)(1)

When the Complaint In this Case Is
Challenged With Clear Contradiction, In
Mind It Is And Will be Clear that
It Does Not Pass the Required Muster
Of the 4th Amendment, Nor Does It
Determine Under Rule (4) that Probable
Cause Existed.

this Insubstantiality Is Illustrated In
the facts, that, Lead John Conroy To
Rule Probable Cause Was Found As he
Was Misled, And As Well Used
Good Faith Of the FBI

Whereby Mr. Simpson Moves the Court for
A Hearing On this Motion Merits, As Well
Dismiss the Indictment Under Rule (48)
Respectfully Everett Simpson